



For reference only

King County

King County Department of Community and Human Services

Community Services Division

Housing and Community Development Program

On behalf of the King County Community Development Block Grant Consortium

Community Development Block Grant (CDBG) Capital Funding 2013 Application Guidelines for 2014 Capital Funds

1. DUE DATE

May 31, 2013, 2:00 p.m. Pacific Daylight Time

Applications will not be accepted after this deadline. **A Pre-Application must have been submitted to Housing and Community Development on or before April 5, 2013 in order to be considered eligible for this funding.*

2. SUBMIT: *(Specific instructions are provided on page 6 of this Application Guideline)*

A. Electronic Version *(Application in Word; Attachments in pdf format if possible)* Via e-mail to kathy.tremper@kingcounty.gov.

If the content is too large to e-mail arrangements for submittal on a compact disk can be made by contacting Kathy Tremper.

B. Hard Copy Version Submit one (1) complete set (printed only on one side of the paper) of the application materials in hard copy paper format, loosely bound in a three ring binder with all associated attachments. **Submit by May 31, 2:00 p.m.** to:

Housing and Community Development (HCD) CDBG Capital Non-Housing RFP
c/o King County Procurement and Contract Services
Chinook Building, 3rd Floor
401 Fifth Avenue,
Seattle, WA 98104

3. FUNDING AVAILABLE FOR KING COUNTY CONSORTIUM

It is anticipated that Capital funds will be available for the King County CDBG Consortium in 2014. Funds will be divided between two CDBG Consortium sub-regions as follows:

North/East Sub-region cities: Beaux Arts, Bothell, Carnation, Clyde Hill, Duvall, Hunts Point, Issaquah, Kenmore, Kirkland, Lake Forest Park, Medina, Mercer Island, Newcastle, North Bend, Redmond, Sammamish, Skykomish, Snoqualmie, Woodinville and Yarrow Point.

South Sub-region cities: Algona, Black Diamond, Burien, Covington, Des Moines, Enumclaw, Maple Valley, Pacific, SeaTac and Tukwila.

Request For Proposal (RFP) applications are available for non-profit organizations and public agencies to request funds for the following types of projects:

- community facilities: acquisition, construction or rehabilitation
- public improvements: acquisition, construction or rehabilitation
- other: parks, minor housing repair, economic development, micro-enterprise and other activities consistent with the objectives of the King County Consortium Housing and Community Development Plan for 2012-2014 and federal CDBG regulations at 24 CFR Part 570.

Please note that Housing Development RFPs and Human Service RFPs are not part of this process at this time. To request additional information contact King County Housing & Community Development Program (HCD), (206) 263-9097, or TTY:711 (Relay Service).

For reference only

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APPLICATION FORM

This application form is structured to be used for all project activity types. PART I and PART II sections are required for all applications and must be completed, signed by an authorizing agent and submitted along with the responses to the questions in the specific PART that pertains to the category of project being proposed along with the appropriate supporting documentation.

General Applicant Information

PART I – Title Page and

Agency Information

- A. Agency Contact Information
- B. Agency Service Information
- C. Program Experience
- D. Background Information
- E. Project Partner Sponsor Information
- F. Cultural Competency

PART II –Federal Requirements

- A. Eligibility
- B. National Objective
- C. Project Benefit
- D. Environmental Review Details
- E. Relocation Details (If applicable)

The following are separate documents for each category or project application type. Each should be submitted with a completed PART I and PART II above, when you submit your application.

For reference only

Alternate formats available upon request

Overview

Community Development Block Grant (CDBG) Funds

King County annually receives Community Development Block Grant (CDBG) Funds from the United States Department of Housing and Urban Development (HUD). The primary objective of the CDBG Program as set forth by Congress is “the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.” Federal regulations define persons who are low- and moderate-income as households earning under 80% of the area median income, as determined by HUD, adjusted by household size.

King County administers CDBG funds on behalf of the King County CDBG Consortium. The Consortium is established under Interlocal Cooperation Agreements (ICA) between the County and 33 cities and towns. A Joint Recommendations Committee (JRC) comprised of officials representing local government members of the Consortium is appointed annually by the Suburban Cities Association to advise the County Executive on CDBG funding and policy decisions.

CDBG King County Consortium Funds

The Consortium Fund is CDBG funds available to meet needs in Consortium cities and unincorporated King County. The Consortium Fund serves residents of the following communities through the noted sub-regions:

North/East Sub-region is made up of the cities and towns of Beaux Arts, Bothell, Carnation, Clyde Hill, Duvall, Hunts Point, Issaquah, Kenmore, Kirkland, Lake Forest Park, Medina, Mercer Island, Newcastle, North Bend, Sammamish, Skykomish, Snoqualmie, Woodinville, Yarrow Point and unincorporated King County north of I-90.

South Sub-region is made up of the cities and towns of Algona, Black Diamond, Burien, Covington, Des Moines, Enumclaw, Maple Valley, Pacific, SeaTac and Tukwila and unincorporated King County south of I-90.

Joint Agreement City Funds

King County CDBG Consortium “passes through” a portion of the CDBG funds to larger member cities known as Joint Agreement Cities. Each of these Joint Agreement Cities, Redmond, Renton and Shoreline, allocate their portion of the funds to meet locally identified needs through their own allocation process. Efforts will be made to coordinate multi-jurisdictional projects with the Joint Agreement Cities.

For additional information contact the Joint Agreement City CDBG Staff.

Joint Agreement City Contacts:

Redmond Alaric Bien, Senior Planner (425) 556-2458 a1bien@redmond.gov

Renton Dianne Utecht, CDBG Coordinator (425) 430-6655 dutecht@rentonwa.gov

Shoreline Bethany Wolbrecht-Dunn, CDBG Coordinator (206) 801-2331 bwolbrec@shorelinewa.us

TECHNICAL ASSISTANCE

For reference only

One-on-one technical assistance is available upon request of interested agency. Please contact Kathy Tremper at 206-263-9097, or one of the appropriate Community Development Team Members to schedule assistance.

■ Community Development Technical Assistance Team

Kathy Tremper, Community Development Coordinator, 206-263-9097; kathy.tremper@kingcounty.gov
Randy Poplock, Environmental Specialist, 206-263-9099; randy.poplock@kingcounty.gov
Dave Mecklenburg, Community Facilities 206,263-9101, dave.mecklenburg@kingcounty.gov
Eric Jensen, Public Improvements, 206-263-9093; eric.jensen@kingcounty.gov
Wendy DeRobbio, Relocation Specialist, 206-263-9070; wendy.derobbio@kingcounty.gov

web link:

<http://www.kingcounty.gov/socialservices/Housing/ServicesAndPrograms/Programs/CommunityDevelopment.aspx>

Nonprofit agencies and local governments may request applications to request funding for other types of projects as follows:

Application UPDATE	Contact
Housing Finance Program Funds acquisition, rehabilitation, and new construction of emergency shelters, transitional and permanent housing for low- and moderate-income persons, including special needs populations, as well as homeownership assistance programs throughout the King County Consortium.	John deChadenedes Housing Finance Program Coordinator (206) 263-9081
Homelessness Assistance Funds (availability to be determined) Funds human services that provide emergency shelter and other types of assistance to prevent and address homelessness throughout the King County Consortium.	Katy Miller Homeless Programs Coordinator (206) 263-9090
Funds acquisition, rehabilitation, and new construction of public improvements, community facilities and social services that establish and maintain a Suitable Living Environment and Expand Economic Opportunities for low- and moderate-income neighborhoods and communities.	Kathy Tremper Community Development Coordinator (206) 263-9097
Rehabilitation or repair of existing housing: funds are usually available year-round.	Owner-Occupied Repair: Shirley Jewett (206) 263-9095

Joint Agreement City Contacts:

Redmond Alaric Bien, Senior Planner (425) 556-2458 a1bien@redmond.gov

Renton Dianne Utecht, CDBG Coordinator (425) 430-6655 dutecht@rentonwa.gov

Shoreline Bethany Wolbrecht-Dunn, CDBG Coordinator (206) 801-2331 bwolbrec@shorelinewa.us

CDBG CAPITAL FUNDING TIMELINE ~~NE~~ For reference only

March 8, 2013	Pre-Applications Available on Web and upon request (web link: http://www.kingcounty.gov/socialservices/Housing/ServicesAndPrograms/Programs/CommunityDevelopment.aspx)
March/April 2013	NOFA Capital Workshops and one on one consultation by HCD Staff <i>Announced as scheduled – See Web Link</i>
April 5, 2013	Pre-Applications Due (Required to be eligible to submit an application)
April 12, 2013	Applications available on web
April/May	Technical Assistance Workshops for Capital applications and one on one consultation - <i>Announced as scheduled</i>
May 31, 2013	Applications due to King County HCD c/o King County Procurement and Contract Services
June 1 – June 8	Technical Screening – only proposals determined to be eligible will move forward to the next level of evaluation.
June - July 2013	Review Process (Applicants may be contacted during this time for additional information). Conduct Project Site Tours. Evaluation Team completes application evaluation process.
August 9, 2013	Public Forum – Applicant presentations to Recommendations Work Group at Mercer View Community Facility
August 12 - Sept. 6	Sub-Regions Advisory Group(s) meet Re award recommendations;
Sept. 9 - Sept. 13	Recommendation Packet drafted for presentation to JRC
September 26, 2013	JRC adopts/modify recommendations
November 2013	Applicants are notified of awards
January 1, 2013	New program year begins

Awards are conditional until King County receives its Grant Agreement from HUD and until any concerns raised during the application review have been resolved to King County's satisfaction.

APPLICATION REVIEW AND EVALUATION

Applications that are determined to be consistent with the CDBG application guidelines will undergo a technical and programmatic review. The initial technical and eligibility review is conducted by Housing and Community Development staff. Once technical review is complete, all applications determined viable proposals and eligible for funding will be recommended (in ranking order) to the King County Sub-region Advisory Groups for their review and recommendation to the Joint Recommendations Committee (JRC) for action on funding awards.

A Public Forum will be held before the Sub-Region Advisory Groups. Applicants will be invited to present their proposals and answer questions of the Sub-region Advisory Group representatives.

For reference only

Application Submission - Two Steps:

Step1)

Submit an electronic version of application in Word format by May 31, 2013, 4:30 p.m. to: Kathy Tremper, Community Development Coordinator at kathy.tremper@kingcounty.gov

Step 2)

Submit one (1) complete set (printed only on one side of the paper) of the application materials in hard copy paper format, loosely bound in a three ring binder with all associated attachments. **Submit by May 31, 2:00 p.m.** to:

Housing and Community Development (HCD) CDBG Capital Non-Housing RFP
c/o King County Procurement and Contract Services
Chinook Building, 3rd Floor
401 Fifth Avenue,
Seattle, WA 98104

A copy of the signed title page documenting the receipt of the application will be date stamped and initialed and returned to you at the time of delivery of the application, to have on file in your records.

Requirements:

- Submittals are due both electronically and in hard copy formats to HCD by 2:00 PM Pacific Daylight Time on **May 31, 2013**. **Hard Copy to be delivered** to King County Procurement and Contract Services, **3rd Floor Chinook Building, 401 Fifth Avenue, Seattle, WA**.
- A transmittal letter (*on agency letterhead*) shall be placed as the first page of the Application in a three-ring binder. The letter shall provide contact information (Name, Title, Telephone Number, and E-mail address) of the person who is able to address questions concerning the application.
- Application should be signed in **BLUE** Ink.
- A completed (i.e. boxes checked or initialed) and signed 'Application Checklist' is placed immediately behind the transmittal cover letter and in front of the first page of the Application. Application Checklist follows:



King County

For reference only

**Application Checklist
Community Development Block Grant (CDBG)
2013 Application for 2014 Capital Non-Housing Funds**

- ☐ **Application meets specified format and meets the submission requirements.**
 - Application pages are consecutively numbered. (*Handwritten is acceptable*).
 - Minimum of 11 point font has been used. (*10 point font acceptable for tables*).
 - Margins are a minimum of one inch for copying and binding purposes.
 - Application pages shall be printed on one side only (for administrative purposes).
 - Application shall be submitted in a three ring binder.
 - All questions have a response – there are no questions left blank and
 - A response to a question is limited to one page.

- ☐ **Applications submitted by cities or towns must be signed, not stamped, by your Mayor or City Manager** and authorized by your City Council.
 - A copy of City Council minutes authorizing submittal of your application must be submitted with the application. If more than one application is submitted, the City Council or board minutes authorizing the applications must indicate which is of the highest priority.

- ☐ **Applications submitted by nonprofit organizations or special districts must be signed by an authorized representative and authorized by your board.**
 - A copy of board minutes authorizing submittal of your application must be submitted with the application. If more than one application is submitted, the board minutes authorizing the applications must indicate which is of the highest priority.

Required Attachments:

PART I Agency Information

ALL Applicants

- ☐ A copy of City Council or Board minutes authorizing submittal of your application. **Attachment No. 1**

- ☐ A detailed map that shows project site and identifies service delivery area. **Attachment No. 2**

- ☐ King County i-map and parcel viewer
<http://www.kingcounty.gov/operations/GIS/PropResearch/ParcelViewer.aspx>
Enter parcel # or address, or zoom using magnifying glass cursor → click “Districts & Development Report” and “Assessor's Data Report”, and **print both and provide as an Attachment No: 3**

Background Information:

- ☐ Most recent Audit. If an audit is not available then provide financial statements that include General Ledger & Balance Sheet for most recent one year period. **Attachment No. 4**

- ☐ Organization Chart. **Attachment No. 5**

PART II – All Applicants

Environmental Attachments:

Provide and label pictures of project site (if applicable per Category type) as follows:

- ☐ North ☐ East ☐ South and ☐ West. **Attachment No. 6.**
- ☐ Attach a site plan, (if applicable per Category type). **Attachment No. 7.**

Additional Attachments for PART III. Community Facility Category

- ☐ Provide a copy of the Agency's tool used for its client intake process. **Attachment No. 8**
- ☐ ADA 504 Self-Evaluation and Correction Plan **Attachment No. 9**
- ☐ Supplementary Acquisition and URA Attachment (if applicable) **Attachment No. 10**

Additional Attachments for PART IV. Public Improvements Category

- ☐ Capital Improvement Plan: Copies of Cover and specific pages that reference project activity and demonstrate public participation in the planning process. **Attachment No. 8**
- ☐ Supplementary Acquisition and URA Attachment (if applicable) **Attachment No. 9**

Additional Attachments for PART V. Parks Category

- ☐ Neighborhood or Parks Plan: Copies of Cover and specific pages that reference project activity and demonstrate public participation in the planning process. **Attachment No. 8**

Additional Attachments for PART VI. Economic Development & Microenterprise Category

- ☐ Provide a copy of the Agency's tool used for its Client Intake process. **Attachment No. 6**
- ☐ Provide a copy of written Program Policies and Procedures for implementing Microenterprise Program **Attachment No. 7**

Additional Attachments for PART VII. Minor Home Repair

- ☐ Provide a copy of the Agency's tool used for its Client Intake process. **Attachment No. 6**
- ☐ Provide a copy of written Program Policies and Procedures for Minor Home Repair Program **Attachment No. 7**

Non-Profits or Special Districts – Additional Required Attachments

- ☐ Current List of Agency Board Members **Attachment No: PART I-D.4.1**
- ☐ Current Bylaws; Articles of Incorporation **Attachment No: PART I-D.4.2**
- ☐ Copy of Non-Profit IRS Letter of Designation **Attachment No. PART I-D.4.3**

ACKNOWLEDGEMENT:

Checklist is completed and required documents are attached.

Signature

Printed Name

Title

Date

Applications that do not follow the specified format, have the required attachments and/or fail to meet the submission requirements will not be forwarded for funding consideration. You are advised to submit your application(s) early to allow you to meet the May 31st deadline if re-submittal is required.

APPEALS

For reference only

GROUND(S) FOR AN APPEAL

You may only submit an appeal on the following grounds:

1. Failure by the Department of Community and Human Services (DCHS) to follow the procedures set forth in this Request for Proposal and/or
2. Bias, discrimination, or conflict of interest on the part of a rater.

WHAT THE APPEAL MUST CONTAIN

You must state all the facts and arguments on which you rely for your appeal and the ground(s) for your appeal. You must include the following in your appeal:

1. The ground(s) for your appeal;
2. A detailed and complete statement of the specific action by DCHS that you are appealing;
3. A description of what relief or corrective action you are requesting; and
4. Appeals must be received by October 11, 2013.

You may attach to your appeal any documentation that you offer to support your appeal.

SUBMIT APPEALS to Cheryl Markham, Housing and Community Development Program Manager, 401 Fifth Avenue, Suite 510, Seattle, WA 98104.

HOW DCHS WILL REVIEW YOUR APPEAL

Your appeal will be forwarded to the Director of the Department of Community and Human Services, along with copies of this application, your proposal, the evaluators' scoring sheets, and any other documents showing how your proposal was evaluated and scored. The Director will conduct an objective review of your appeal based on the contents of your written appeal and the above materials.

The Director will send you a written decision within 5 business days after DCHS receives your appeal, unless more time is required to review the appeal and make a determination. The DCHS Director will notify you if additional time is necessary.

HOW DCHS WILL DECIDE YOUR APPEAL

The DCHS Director will make a final determination of your appeal and will either:
Find that your appeal lacks merit and uphold DCHS's actions; or

1. Find that any errors in the RFP process or in DCHS's conduct did not influence the outcome of the process and uphold DCHS's actions; or
2. Find merit in the protest and provide options for corrective action by DCHS.

Remember: Appeals will only be considered if made on the grounds described in this section.

KING COUNTY CONTRACT REQUIREMENTS

For reference only

Agencies that are awarded King County CDBG program funds will contract with King County Department of Community and Human Services. Contracts will commence upon completion of the Environmental Review Record, but not before January 1, 2014. Costs incurred prior to the contract start date will not be reimbursed. Contracts will include conditions relating to Federal regulations and County Ordinances which must be considered when planning your project. The following items are only a few of the requirements. Please contact HCD staff if you have any questions or would like to obtain a complete list of the contracting requirements and sample

AUDIT

Agencies receiving CDBG funding are required to submit an independent audit on an annual basis. Agencies that spend \$500,000 or more in federal funds in a given year must meet federal financial auditing requirements, as documented in Circular A-133 from the federal Office of Management and Budget. Circular A-133 can be found at www.whitehouse.gov/omb.

INSURANCE REQUIREMENTS

Agencies will be required to provide evidence of general liability coverage and name the County as an insured under their policy. Agencies that provide services licensed by professionals must also provide additional evidence of Professional Errors and Omissions coverage. Agencies that transport clients in vehicles must also provide evidence of automobile coverage. The following minimum amounts of coverage are required with an insurer rated A:VIII or better by Best's:

General Liability: \$1 million combined single limit per occurrence by bodily injury, personal injury, and property damage, and for policies with aggregate limits, a \$2 million aggregate limit.

Professional Liability, Errors, and Omission: \$1 million (May be placed with insurer rated B+:VII).

Auto Liability: \$1 million combined single limit per accident for bodily injury and property damage.

REPORTING AND MONITORING REQUIREMENTS

Agencies will be required to submit program invoices, client data reports, project accomplishments and performance reports. Reports may include but not limited to information disclosing unduplicated counts of clients served with demographic data, and progress of meeting preset identified outcomes.

Agencies will be expected to provide additional information, as needed, for project monitoring and management. HCD will visit sites and maintain active contact with all agencies to provide technical support and assistance as needed.

DOMESTIC PARTNER BENEFITS (NON-DISCRIMINATION IN BENEFITS)

King County law prohibits agencies from discrimination in the provision of employee benefits between employees with spouses and employees with domestic partners. Agencies must certify that they are compliant with this law. The law applies only to contracts with King County of \$25,000 or more. Municipalities are exempt from this requirement.

❖ PROJECT/PROGRAM REQUIREMENTS For reference only

All agencies using Community Development Block Grant (CDBG) funds for a capital facility project must comply with CDBG program regulations (24 CFR Part 570) and, where applicable, King County CDBG Consortium policies.

- **National Objectives:** Projects must meet one of two national objectives established for the Community Development Block Grant Program, Area Benefit or Limited Clientele. Please refer to the application for detailed information.
- **Eligible Activities:** It is advised that you contact the CDBG staff if you need assistance in determining specific eligible costs and activities. In summary, eligible activities include, but are not limited to:
 - ◆ Public infrastructure pre-development, construction, or improvements;
 - ◆ Acquisition, rehabilitation, improvement, or pre-development of public and private (including residential and non-residential) real property that serves low- and moderate-income residents;
 - ◆ Rehabilitation of existing community facilities in order to remove barriers to persons with disabilities (such barriers must be identified on an ADA/504 Corrective Action Plan);
 - ◆ Rehabilitation of existing emergency shelters, transitional housing units and permanent low-income housing units for residents with special service needs; and Minor Home Repair.
 - ◆ Micro-enterprise programs – financial assistance and/or services to businesses employing five or fewer employees where the business owner is low- and moderate-income or jobs created from CDBG assistance are made available to low- and moderate-income individuals;
 - ◆ Special economic development activities that create or retain jobs that are available to low- and moderate-income residents; and
 - ◆ Relocation assistance for households or businesses displaced temporarily or permanently by a CDBG-assisted project (and in limited cases non-CDBG-assisted projects). Relocation assistance must be included in any application that may result in displacement of residents or businesses.

SPECIAL NOTE for Community Facility Projects: CDBG funds may be used to acquire and improve facilities containing both eligible uses (i.e. programs serving predominantly low- and moderate-income persons) as well as ineligible uses provided that the portion of the facility containing eligible uses is a designated and discrete area in the larger facility. CDBG funds can only be used to pay for costs attributed to the portion of the facility containing eligible uses.

Ineligible Activities: Funds may not be used to pay off existing debt, or to acquire equipment or fixtures that are not permanently affixed to a structure. CDBG funds may not be used for improvements to sanctuaries, chapels or other rooms used as the principal place of worship. Organizations that acquire or improve facilities with CDBG funds may not subsequently lease space to churches or other organizations using the space for religious purposes. CDBG funds for capital projects may not be used to pay for agency overhead, administrative costs or fundraising, nor to create or improve space used solely for administrative purposes. CDBG funds may not be used to pay for portions of new construction associated with accessibility. Funds may not be used for maintenance and repair of publicly-owned streets, parks, playgrounds, water and sewer facilities, and neighborhood facilities.

- **Eligible Applicants:** CDBG projects must be implemented by a nonprofit organization or public agency. Nonprofit organizations leasing a facility may request CDBG funds to improve the facility provided the property owner agrees to a restricted use of the property for a specified length of time. For such projects, the property owner must sign the application.
- **Applicant Authorization:** Applications submitted by nonprofit organizations or special districts must be signed by an authorized representative and authorized by the board of directors. A copy of board minutes authorizing submittal of your application may be submitted after the application due date but are required prior to the official award of funds by the Joint Recommendations Committee (JRC).
- **Minimum Request and Award Amounts:** Projects under \$50,000 are discouraged.
- **Project Implementation:** A successful project application will be one that the project is ready to proceed, and has the capacity to be completed in a timely manner (i.e. by December 31 of the program year, and no later than May of the following year).

- **King County Sustainable Infrastructure Scorecard:** *For reference only* Projects that receive funding will be required to complete the King County Sustainable Infrastructure Scorecard for purposes of project implementation. The Sustainable Infrastructure Scorecard uses basic concepts of the LEED® rating system, adapted to more appropriately apply to infrastructure projects in King County. The resulting Scorecard includes nine categories, including a set of prerequisites, seven sets of credits (optional items) organized by key topics of sustainability, and an additional set of credits (also optional) for enhanced performance.
<http://your.kingcounty.gov/solidwaste/greenbuilding/documents/green-building-sustainable-dev-guide.pdf>
- See <http://your.kingcounty.gov/solidwaste/greenbuilding/scorecard.asp>. This on-line Guide provides information for achieving each prerequisite and credit. Downloadable versions of the [Sustainable Infrastructure Scorecard](#) (PDF, 91 K) and [Guidelines](#) (PDF, 500 K) are also available.

FEDERAL REGULATIONS (this is not a complete list):

- **Accessibility:** Agencies awarded CDBG funds are required to conduct a self-evaluation to determine the agency's ability to provide reasonable accommodation in programs and services to persons with disabilities. As a prior condition to the agency receiving an authorization to proceed, the agency must complete a Certification of Compliance, a Disability Self-Evaluation Questionnaire, and if necessary, a Corrective Action Plan. These documents are required as exhibits in the Contract for funds.
- **Appraisals:** An appraisal will be required when CDBG funds are used to acquire real property and when CDBG funds are used to improve real property leased from a private landlord.
- **Audit:** Agencies receiving CDBG funding are required to submit an independent audit on an annual basis. Agencies that spend \$500,000 or more in federal funds in a given year must meet federal financial auditing requirements, as documented in Circular A-133 from the federal Office of Management and Budget. Circular A-133 can be found at www.whitehouse.gov/omb.
- **Bonding:** Construction contracts exceeding \$100,000 will require a: Bid guarantee equivalent to 5% of bid price; 100% performance bond; and, 100% payment bond. Bonds must be obtained from companies holding Certificates of Authority as acceptable sureties pursuant to 31 CFR 223.
- **Change of Use Restriction, Promissory Note and Deed of Trust:** CDBG awards over \$25,000 are structured as a zero interest forgivable loan. The term of the loan is based on the amount of CDBG funds awarded. The minimum term is 5 years from project completion and the maximum is 15 years for non-housing capital projects. The loan shall be forgiven in its entirety at the end of the term provided the facility is used appropriately throughout the term.

For all community facility projects using CDBG funds, a promissory note, deed of trust, and covenant are required along with the contract and it will specify the term from the completion of the project activity during which there will be a restriction on a change of use.

- **Competitive Procurement:** Agencies that use CDBG funds to purchase goods or services, including consultant services and construction services, must select the vendor, consultant or construction firm through a competitive process. Agencies shall take all necessary affirmative steps to assure that minority and women's business enterprises are used when possible.
- **Davis-Bacon Federal Labor Standards Provisions:** Capital projects that utilize CDBG funds for construction shall be subject to Federal labor standards provisions including Davis-Bacon wage rates. These regulations require that construction contractors paid with CDBG funds pay a required wage that is typically higher than those paid for projects that are not federally assisted. To see examples of these wage rates, refer to www.gpo.gov/davisbacon/. All construction work is covered even in instances where only a small portion of the work is actually paid for with CDBG funds. Please consider this when preparing labor construction cost estimates and consult with King County HCD Project Manager Dave Mecklenburg at (206) 263-9101 for information. Some public agencies that use force account labor for construction work are not subject to Davis-Bacon requirements. Construction work performed by volunteers on CDBG assisted projects must be approved by U.S. Department of Housing and Urban Development (HUD) in advance.

- **Environmental Review:** On the date the CDBG application is submitted, the entire project is subject to the federal environmental review requirements of the National Environmental Policy Act (NEPA). These requirements are in addition to any local requirements that may be imposed under the State Environmental Policy Act (SEPA). Please consider this when preparing cost estimates and consult with King County HCD Project Manager Randy Poplock at (206) 263-9099 if you need additional information. Costs associated with NEPA review are the responsibility of the applicant, even if the NEPA review results in a determination that the project is not eligible for CDBG funding. Environmental review costs are eligible CDBG expenditures.

IMPORTANT: From the date the application is submitted for consideration until the date the NEPA review process is complete, no activity may take place on the project that could have an adverse environmental impact, or limit the choice of alternatives available on the site. This may include, but is not limited to, property acquisition, clearing, grading or other site preparation activities, construction activities or rehabilitation of existing structures. Taking any such action after the date a CDBG application is submitted and before the ER record is complete will make the project ineligible for funding.

Applicants should note that projects with certain characteristics such as, but not limited to, the following may require a consultant study as part of the environmental review procedures and should budget for them accordingly and allow additional time in the project milestones for completion:

1. Are within a Federal Emergency Management Agency (FEMA) 100-year floodplain;
2. Are (or are eligible for) local, state, or federal historic or landmark registers;
3. Are located within 3,000 feet of a toxic site or solid waste landfill;
4. Have exposure to significant airport or highway noise;
5. Affect species that are listed or proposed for listing under the Endangered Species Act (ESA);
6. Involve digging in, or otherwise impacting, soil that has not been previously disturbed.

You are encouraged to consult CDBG staff prior to submitting an application to determine whether your project will require a consultant study. A portion of the funds awarded will be used to procure any required studies. Consideration for this expense should be given in the preparation of the project budget. Environmental review of projects must be completed by King County HCD Staff prior to a CDBG contract being executed and prior to any work being undertaken at the site.

- **Federal Relocation Assistance Requirements:** CDBG funded projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended ("URA") and/or Section 104(d) of the Housing and Community Development Act of 1974, as amended ("Barney Frank Amendment"). Any agency considering a project involving a facility occupied by residential and/or business tenants must consult with the King County's Relocation Specialist. For currently occupied structures, provide proof of correspondence to determine applicable relocation assistance requirements with the King County Relocation Specialist Wendy DeRobbio (206) 263-9070.
- **Insurance Requirements:** Agencies will be required to provide evidence of general liability and property insurance to the jurisdiction awarding funds, and King County when applicable, as an additional insured and as a loss payee under their policy. Minimum coverage amounts and additional insurance requirements apply.
- **Lead-Based Paint:** Projects must comply with regulations regarding lead-based paint poisoning prevention. These requirements prohibit the use of lead-based paint and require elimination of immediate lead-based paint hazards in residential structures and notification of the hazards of lead-based paint poisoning to purchasers and tenants of residential structures constructed prior to 1978.
- **Local requirements:** A CDBG award in no way affects or influences local land use or building permit requirements or processes.
- **Section 3:** Projects that are awarded \$200,000 or more in CDBG and/or other funds from HUD will be required to comply with Section 3 regulations at 24 CFR Part 135. These regulations require that a minimum of 30% of new positions generated as a result of the project be filled by low- and moderate-income persons.

- For reference only**
- **Use of CDBG-Assisted Facilities:** During the term of the change of use restriction, a CDBG-assisted facility may be rented to another organization which serves low- and moderate-income persons provided the rent charged is below market rate for such space and is based solely on actual operating costs (for example, the cost of utilities, consumable goods, janitorial services). During the term of the change of use restriction, a CDBG-assisted facility may be used at times for ineligible activities, such as rentals for private parties or for activities having charges or fees, provided these guidelines are followed:
 1. Such uses may not be scheduled so as to displace or conflict with eligible uses;
 2. Such uses must be given a lower priority than eligible uses when scheduling use of the facility;
 3. Such uses may not comprise more than 30 percent of the facility's regular operating hours during any single quarter of the calendar year; and,
 4. Fair market rents must be charged for use of the space.

Please verify all format and submittal requirements are complete and are acceptable.

- ☐ A Pre-Application must have been submitted to Housing and Community Development by April 5, 2013 to be eligible to apply for these funds. See:
<http://www.kingcounty.gov/Socialservices/Housing/ContractorsAndPartners/ContractorTools/FundApplications/CommunityDevelopment.aspx>

Requirements:

- Submittals are due both electronically and in hard copy formats to HCD by 2:00 PM Pacific Daylight Time on **May 31, 2013. Hard Copy to be delivered** to King County Procurement and Contract Services, **3rd Floor Chinook Building, 401 Fifth Avenue, Seattle, WA.**
- A transmittal letter (*on agency letterhead*) shall be placed as the first page of the Application in a three-ring binder. The letter shall provide contact information (Name, Title, Telephone Number, and E-mail address) of the person who is able to address questions concerning the application.
- Application should be signed in **BLUE** Ink.
- A completed (i.e. boxes checked or initialed) and signed 'Application Checklist' is placed immediately behind the transmittal cover letter and in front of the first page of the Application. Application Checklist follows:



King County

For reference only

Continue to Application Forms. Complete PART I and PART II for all applications and attach it to the appropriate PART from the options below depending on the category of your project.

SELECT THE APPROPRIATE PART

Answer associated questions pertinent to the type of project you are seeking funds to complete. Limit your response to no more than one page in length to each question. Do not leave any question unanswered. Indicate 'Not Applicable' rather than leave a question blank.

PART I - Title Page w/Signature Block

PART II - Federal Requirements, Agency Information

PART III - Community Facility Category

PART IV – Public Improvements Category

PART V – Park Projects Category

PART VI – Economic Development Category

Part VII – Minor Home Repair Category